

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

See attachment.

(b) County of Residence of First Listed Plaintiff Cuyahoga, OH
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
See attachment.

DEFENDANTS

See attachment.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
See attachment.

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff

☐ 2 U.S. Government Defendant

☐ 3 Federal Question (U.S. Government Not a Party)

☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

PTF

☐ 1 Citizen of This State

☐ 2 Citizen of Another State

☐ 3 Citizen or Subject of a Foreign Country

DEF

☐ 1 Incorporated or Principal Place of Business In This State

☐ 2 Incorporated and Principal Place of Business In Another State

☐ 3 Foreign Nation

PTF

☒ 4

☐ 5

☐ 6

DEF

☐ 4

☒ 5

☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT

☐ 110 Insurance

☐ 120 Marine

☐ 130 Miller Act

☐ 140 Negotiable Instrument

☐ 150 Recovery of Overpayment & Enforcement of Judgment

☐ 151 Medicare Act

☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)

☐ 153 Recovery of Overpayment of Veteran's Benefits

☐ 160 Stockholders' Suits

☐ 190 Other Contract

☐ 195 Contract Product Liability

☐ 196 Franchise

TORTS

PERSONAL INJURY

☐ 310 Airplane

☐ 315 Airplane Product Liability

☐ 320 Assault, Libel & Slander

☐ 330 Federal Employers' Liability

☐ 340 Marine

☐ 345 Marine Product Liability

☐ 350 Motor Vehicle

☐ 355 Motor Vehicle Product Liability

☒ 360 Other Personal Injury

☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY

☐ 365 Personal Injury - Product Liability

☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability

☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY

☐ 370 Other Fraud

☐ 371 Truth in Lending

☐ 380 Other Personal Property Damage

☐ 385 Property Damage Product Liability

FORFEITURE/PENALTY

☐ 625 Drug Related Seizure of Property 21 USC 881

☐ 690 Other

LABOR

☐ 710 Fair Labor Standards Act

☐ 720 Labor/Management Relations

☐ 740 Railway Labor Act

☐ 751 Family and Medical Leave Act

☐ 790 Other Labor Litigation

☐ 791 Employee Retirement Income Security Act

IMMIGRATION

☐ 462 Naturalization Application

☐ 465 Other Immigration Actions

BANKRUPTCY

☐ 422 Appeal 28 USC 158

☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS

☐ 820 Copyrights

☐ 830 Patent

☐ 835 Patent - Abbreviated New Drug Application

☐ 840 Trademark

SOCIAL SECURITY

☐ 861 HIA (1395ff)

☐ 862 Black Lung (923)

☐ 863 DIWC/DIWW (405(g))

☐ 864 SSID Title XVI

☐ 865 RSI (405(g))

FEDERAL TAX SUITS

☐ 870 Taxes (U.S. Plaintiff or Defendant)

☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES

☐ 375 False Claims Act

☐ 376 Qui Tam (31 USC 3729(a))

☐ 400 State Reapportionment

☐ 410 Antitrust

☐ 430 Banks and Banking

☐ 450 Commerce

☐ 460 Deportation

☐ 470 Racketeer Influenced and Corrupt Organizations

☐ 480 Consumer Credit

☐ 490 Cable/Sat TV

☐ 850 Securities/Commodities/Exchange

☐ 890 Other Statutory Actions

☐ 891 Agricultural Acts

☐ 893 Environmental Matters

☐ 895 Freedom of Information Act

☐ 896 Arbitration

☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision

☐ 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

☐ 1 Original Proceeding

☒ 2 Removed from State Court

☐ 3 Remanded from Appellate Court

☐ 4 Reinstated or Reopened

☐ 5 Transferred from Another District (specify)

☐ 6 Multidistrict Litigation—Transfer

☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. sections 1332, 1441, and 1446.

Brief description of cause:
Plaintiff alleges that the manufacturer defendants misrepresented the risks of FDA-approved opioid medications.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE Dan Aaron Polster

DOCKET NUMBER 1:17-cv-: 1639; 1872; 2185; and 2171

DATE November 27, 2017

SIGNATURE OF ATTORNEY OF RECORD /s/ Carole S. Rendon

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

I. Civil Categories: (Please check one category only).

1. ☒ General Civil
2. ☐ Administrative Review/Social Security
3. ☐ Habeas Corpus Death Penalty

*If under Title 28, §2255, name the SENTENCING JUDGE: _____

CASE NUMBER: _____

II. **RELATED OR REFILED CASES.** See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action is ☒ **RELATED** to another **PENDING** civil case. This action is ☐ **REFILED** pursuant to **LR 3.1**.

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III. In accordance with Local Civil Rule **3.8**, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county

COUNTY:

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY: Cuyahoga County, Ohio

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY:

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

☐

AKRON

(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)

☒

CLEVELAND

(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)

☐

YOUNGSTOWN

(Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

☐

TOLEDO

(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca VanWert, Williams, Wood and Wyandot)

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

ATTACHMENT TO CIVIL COVER SHEET

Plaintiff and Counsel

Plaintiff	Attorneys
THE COUNTY OF CUYAHOGA	<p>Robin M. Wilson CUYAHOGA COUNTY DEPARTMENT OF LAW County Administrative Headquarters 2079 East 9th Street, 7th Floor Cleveland, Ohio 44115</p> <p>Frank Gallucci PLEVIN & GALLUCCI COMPANY, L.P.A. 55 Public Square, Suite 2222 Cleveland, Ohio 44113</p> <p>Paul J. Napoli Salvatore C. Badala Paul B. Maslo Joseph L. Ciaccio NAPOLI SHKOLNIK, PLLC 400 Broadhollow Road, Suite 305 Melville, New York 11747</p> <p>Scott Elliot Smith SCOTT ELLOT SMITH LPA 5003 Horizons Dr. Ste. 200 Columbus OH 43220</p> <p>Leo M. Spellacy, Jr. THRASHER DINSMORE & DOLAN LPA 1111 Superior Avenue, Suite 412 Cleveland, OH 44114</p>

Defendants and Counsel

Plaintiff	Attorneys
ENDO PHARMACEUTICALS INC. ENDO HEALTH SOLUTIONS INC.	<p>Carole S. Rendon (0070345) Tera N. Coleman (0090544) BAKER & HOSTETLER LLP Key Tower 127 Public Square, Suite 2000 Cleveland, OH 44114-1214 (216) 696-0740 crendon@bakerlaw.com tcoleman@bakerlaw.com</p> <p>Ingo W. Sprie, Jr.* ARNOLD & PORTER KAYE SCHOLER LLP 250 West 55th Street New York, NY 10019-9710 (212) 836-8000 Ingo.Sprie@apks.com</p> <p>Sean Morris* ARNOLD & PORTER KAYE SCHOLER LLP 777 S. Figueroa Street 44th Floor Los Angeles, CA 90017 (213) 243-4000 Sean.Morris@apks.com <i>* denotes national counsel who will seek pro hac vice admission</i></p>
PURDUE PHARMA L.P. PURDUE PHARMA INC. THE PURDUE FREDERICK COMPANY INC.	<p>Daniel J. Buckley (3772) VORYS, SATER, SEYMOUR and PEASE LLP 301 East Fourth Street Suite 3500, Great American Tower Cincinnati, OH 45202 (513) 723-4002 djbuckley@vorys.com</p> <p>Patrick J. Fitzgerald* R. Ryan Stoll* SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP 4 Times Square New York, NY 10036 (212) 735-3000 patrick.fitzgerald@skadden.com ryan.stoll@skadden.com</p>

	<p>-and-</p> <p>155 North Wacker Drive Chicago, IL 60606 (312) 407-0700 <i>* denotes national counsel who will seek pro hac vice admission</i></p>
<p>TEVA PHARMACEUTICALS USA, INC. CEPHALON, INC. WATSON LABORATORIES, INC. ACTAVIS LLC ACTAVIS PHARMA, INC. F/K/A WATSON PHARMA, INC.</p>	<p>Wendy West Feinstein (0064973) MORGAN, LEWIS & BOCKIUS LLP One Oxford Centre, 32nd Floor Pittsburgh, PA 15219-6401 (412) 560-7455 wendy.feinstein@morganlewis.com</p> <p>Tinos Diamantatos* MORGAN, LEWIS & BOCKIUS LLP 77 West Wacker Drive Chicago, IL 60601-5094 (312) 324-1145 tinios.diamantatos@morganlewis.com</p> <p>Steven A. Reed* MORGAN, LEWIS & BOCKIUS LLP 1701 Market Street Philadelphia, PA 19103 (215) 963-5000 steven.reed@morganlewis.com</p> <p>Brian M. Ercole MORGAN, LEWIS & BOCKIUS LLP 200 S. Biscayne Blvd., Suite 5300 Miami, FL 33131-2339 brian.ercole@morganlewis.com <i>* denotes national counsel who will seek pro hac vice admission</i></p>
<p>JOHNSON & JOHNSON JANSSEN PHARMACEUTICALS, INC. ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC. N/K/A JANSSEN PHARMACEUTICALS, INC. JANSSEN PHARMACEUTICA, INC. N/K/A JANSSEN PHARMACEUTICALS, INC.</p>	<p>Charles C. Lifland* O'MELVENY & MYERS LLP 400 S. Hope Street Los Angeles, CA 90071 (213) 430-6000 clifland@omm.com <i>* denotes national counsel who will seek pro hac vice admission</i></p>

<p>ALLERGAN PLC F/K/A ACTAVIS PLC; ACTAVIS, INC. N/K/A ALLERGAN FINANCE, LLC F/K/A WATSON PHARMACEUTICALS, INC.</p>	<p>John R. Mitchell (#0066759) Stacey A. Greenwell (#0077909) Andrea B. Daloia (#0074106) THOMPSON HINE LLP 3900 Key Center 127 Public Square Cleveland, OH 44114-1291 Telephone: 216-556-5500 Facsimile: 216-556-5800 John.Mitchell@ThompsonHine.com Stacey.Greenwell@ThompsonHine.com Andrea.Daloia@ThompsonHine.com</p> <p>Donna Welch, P.C.* Martin L. Roth* Timothy Knapp* KIRKLAND & ELLIS LLP 300 North LaSalle Chicago, Illinois 60654 (312) 862-2000 donna.welch@kirkland.com martin.roth@kirkland.com timothy.knapp@kirkland.com</p> <p>Jennifer G. Levy, P.C.* KIRKLAND & ELLIS LLP 655 Fifteenth Street, NW Washington, DC 20005 (202) 879-5000 jennifer.levy@kirkland.com <i>* denotes national counsel who will seek pro hac vice admission</i></p>
<p>INSYS THERAPEUTICS, INC</p>	<p>J. Matthew Donohue* (Trial Attorney) Joseph L. Franco* HOLLAND & KNIGHT LLP 2300 U.S. Bancorp Tower 111 S.W. Fifth Avenue Portland, OR 97204 Telephone: 503.243.2300 Facsimile: 503.241.8014 matt.donohue@hklaw.com joe.franco@hklaw.com <i>* denotes national counsel who will seek pro hac vice admission</i></p>

RUSSELL PORTENOY	O. Judson Scheaf, III (0040285) Jordan D. Rauch (0093389) HAHN LOESER & PARKS LLP 65 East State Street, Suite 1400 Columbus, Ohio 43215 (614) 233-5190 JScheaf@hahnlaw.com JRauch@hahnlaw.com
PERRY FINE, M.D.; SCOTT FISHMAN, M.D.; LYNN WEBSTER, M.D	Tyler Tarney (Trial Attorney) (0089082) Daniel Hyzak (0091298) GORDON & REES LLP 41 South High Street, Suite 240 Columbus, Ohio 43215 T: (614) 340-5558; F: (614) 360-2130 gbrunton@grsm.com ttarney@grsm.com dhyzak@grsm.com
MCKESSON CORPORATION	Vincent I. Holzhall (0074901) Steptoe & Johnson pllc 41 South High Street, Suite 2200 Columbus, OH 43215 Telephone: (614) 221-5100 Facsimile: (614) 221-0952 vince.holzhall@steptoe-johnson.com Emily Johnson Henn (MD Bar No. 9912150034)* COVINGTON & BURLING LLP 333 Twin Dolphin Drive Redwood Shores, CA 94065-1418 Telephone: (650) 232-4715 Facsimile: (650) 632-4815 EHenn@cov.com Matthew Benov (D.C. Bar No. 981219)* Geoffrey E. Hobart (MA Bar No. 547499)* COVINGTON & BURLING LLP 850 Tenth St., N.W. Washington, DC 20001-4956 Telephone: (202) 662-6000 Facsimile: (202) 778- 5334 MBenov@cov.com GHobart@cov.com

	<i>*denotes national counsel who will seek pro hac vice admission</i>
CARDINAL HEALTH, INC	<p>Joseph F. Murray Murray, Murphy, moul & basil 1114 Dublin Road Columbus, OH 43215 614-488-0400 hadden@mmmb.com murray@mmmb.com</p>
AMERISOURCEBERGEN CORPORATION	<p>Mark W. Bernlohr #0038640 Sandra K. Zerrusen #0070883 Aaron E. McQueen #0068753 Andrew N. Schock #0087998 JACKSON KELLY PLLC 50 South Main Street, Suite 201 Akron, OH 44308 Phone: (330) 252-9060 Facsimile: (330) 252-9078 mwbernlohr@jacksonkelly.com skzerrusen@jacksonkelly.com aaron.mcqueen@jacksonkelly.com anschock@jacksonkelly.com</p> <p>Robert A. Nicholas Shannon E. McClure REED SMITH LLP 1717 Arch Street, Suite 3100 Philadelphia, PA 19103 (215) 851-8100 rnicholas@reedsmith.com smcclure@reedsmith.com</p> <p>Alvin L. Emch JACKSON KELLY PLLC 500 Lee Street, East, Suite 1600 P.O. Box 553 Charleston, WV 25322 (304) 340-1000 aemch@jacksonkelly.com</p>